

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 1:06cr107-MHT
)	
MICHAEL D. HARVEY)	

ORDER

The United States has filed a motion requesting that the court order a psychiatric examination of the defendant pursuant to 18 U.S.C. § 4241. The defendant does not object.

It appears to the court that there is reasonable cause to believe that MICHAEL D. HARVEY at the time of the commission of the offense charged as well as at the time a statement was made to law enforcement officials may have been insane or mentally incompetent and/or may presently be suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Accordingly, it is

ORDERED that the United States Marshal for this district immediately remove the defendant to the custody of the warden of an appropriate institution as may be designated by the Attorney General where the defendant is to be committed for the purpose of being observed and examined for a period not to exceed 45 days by one or more qualified psychiatrists or psychologists at the institution, pursuant to the provisions of 18 U.S.C. §§ 4241, 4242 and 4247(b), (c). The 45 day period shall be counted from the day of the

defendant's arrival at the designated institution. It is further

ORDERED that pursuant to 18 U.S.C. § 4247(c) the examining psychiatrist or psychologist conducting the mental examination of the defendant report in writing to this court within 60 days from the date of the defendant's arrival at the institution as to their findings, opinions and conclusions relative to the competency or incompetency of the defendant and specifically report to and advise this court whether or not in their opinion the defendant may be presently insane or otherwise so mentally incompetent as to be unable to understand the proceedings against her or properly assist in her own defense and further specifically report their findings, opinions and conclusions as to whether the defendant, at the time of the commission of the offense with which he is charged or at the time a statement was given to law enforcement officials, was insane or mentally incompetent. It is further

ORDERED that the defendant shall be incarcerated and remain at the institution designated by the Attorney General until further order of the court.

The clerk of this court is hereby DIRECTED to furnish the United States Marshal for this district three certified copies of this order.

Done this 10th day of July, 2006.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE